REMARKS

Claims 1-15 are pending in this application. Claims 1, 9, 10, and 15 stand rejected. Applicant wishes to thank the Examiner for the indication of allowance of claims 2-8 and 11-14. By this Amendment, claims 1 and 15 have been amended. The amendments made to the claims do not alter the scope of these claims, nor have these amendments been made to define over the prior art. Rather, the amendments to the claims have been made for cosmetic reasons to improve the form thereof. In light of the amendments and remarks set forth below, Applicant respectfully submits that each of the pending claims is in immediate condition for allowance.

Claim 15 is objected to due to a typographical error. Applicant has corrected this typographical error and respectfully requests that the objection be withdrawn.

Claim 15 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. The Office Action asserts that the essential step of storing of the non-video data in the primary store is not recited. Applicant has amended claim 15 to recite this limitation. As such, Applicant respectfully requests reconsideration and withdrawal of this rejection and allowance of claim 15.

Claims 1 and 9 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,748,020 ("Eifrig"). Applicant respectfully requests reconsideration and withdrawal of this rejection.

To anticipate a claim under 35 U.S.C. § 102, the cited reference must disclose every element of the claim, as arranged in the claim, and in sufficient detail to enable one skilled in the art to make and use the anticipated subject matter. See, PPG Industries, Inc. v. Guardian Industries Corp., 75 F.3d 1558, 1566 (Fed. Cir. 1996); C.R. Bard, Inc. v. M3 Sys., Inc., 157 F.3d 1340, 1349 (Fed. Cir. 1998). A reference that does not expressly disclose all of the elements of a claimed invention cannot anticipate

12

unless all of the undisclosed elements are inherently present in the reference. See, Continental Can Co. USA v. Monsanto Co., 942 F.2d 1264, 1268 (Fed. Cir. 1991).

Among the limitations of independent claim 1 not present in the cited reference is secondary extracting means which extracts a plurality of second data not to be processed from said secondary storing means in accordance with an order of said inputted MPEG data to produce a secondary data block.

The Office Action asserts that the secondary extracting means are disclosed by elements 340, 342, and 344 and column 9, line 15 through column 10, line 3. Applicant respectfully disagrees. Elements 340, 342, and 344 are audio delay units which are used to delay an audio portion of the data services disclosed by Eifrig. These audio delay units do not extract data as recited in Applicant's claim, they merely delay the audio portion of the data services. Thus, there is no disclosure of the secondary extracting means explicitly recited in Applicant's claim.

Applicant's secondary extracting means extract a plurality of second data from said secondary storing means in accordance with an order from said inputted MPEG data. These secondary extracting means are not the audio delay units recited in Eifrig. As such, Applicant respectfully requests reconsideration and withdrawal of this rejection.

Likewise, claim 9 is not anticipated by Eifrig. Eifrig fails to disclose obtaining a process data blocked by variable length encoding the replaced data group. The Office Action fails to reference, and Eifrig fails to disclose, the above-recited limitation. As such, Applicant respectfully submits that claim 9 is allowable over the cited reference.

Claims 1 and 9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,081,295 ("Adolph"). Applicant respectfully requests reconsideration and withdrawal of this rejection.

The Office Action recognizes that Adolph does not teach secondary storing means which store the number of said first data stored in said primary storing means or said plurality of second data to be not processed. Adolph only discloses buffer (BUPAR) for use in a video processor portion of the disclosed circuit. The Office Action asserts that it would have been obvious to one of ordinary skill in the art at the time of the invention for the audio processor to contain a buffer becomes the use of a buffer is taught as part of the MPEG stream. Applicant respectfully disagrees. The system disclosed by Adolph functions without any additional processing in the audio data processing arm of the system. It would not have been obvious to delay the processing of the audio data simply because there is a buffer disclosed in the MPEG processing portion of the circuit. In fact, if a buffer were included in the audio data processing arm of the system, it would change the operation of the disclosed system as the audio and video signals would no longer be synchronized. Therefore, Applicant respectfully submits that it would not have been obvious to modify the system disclosed in Adolph. Thus, Applicant respectfully submits that claims 1 and 10 are allowable over the Adolph reference.

Applicant has responded to all of the rejections and objections recited in the Office Action. Reconsideration and a Notice of Allowance for all of the pending claims are therefore respectfully requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

14

If the Examiner believes an interview would be of assistance, the Examiner is welcome to contact the undersigned at the number listed below.

Dated: July 12, 2005   Respectfully submitted,

By

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